Reinventing Older Communities: Building Resilient Cities

Tactical Options for Stable Properties

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May 10, 2012
Tactical Options for Stable Properties

I. Property Tax Foreclosure Reform

II. Housing & Building Code Enforcement

III. Vacant Property Registration Ordinances

IV. Vacant Property Receiverships

V. Mortgage Foreclosure Reform

Land Banks and Land Banking
The Problem Properties

The Costs of Vacancy, Delinquency and Foreclosure

Vacancy *or* delinquent lowers values within 500 feet by .8%
Foreclosed *but not* delinquent or vacant lowers values by 1.8%
Vacant *and* delinquent lowers values by 3.1%
Foreclosed *and* vacant *or* delinquent lowers values by 8.0%
Foreclosed, vacant *and* delinquent lowers values by 9.6%

The Overall Strategy

Achieve a greater internalization of external costs and eliminate barriers that are transaction costs to an efficient market in a manner consistent with the common good.

Fix it up

Pay it up

Give it up
I. Property Tax Foreclosure Reform

- Efficient, Effective and Equitable System
- Shortened Time Frames
- Constitutionally adequate notice given once
- Insurable Title
- Transfer to open market or to governmental entity
- Halting Sale of Tax Liens
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II. Housing & Building Code Enforcement

☑ Revise substantive content of code
☑ Avoid criminal process; focus on *in rem* proceedings
☑ Increase efficiency of proceeding
☑ Lien for fully loaded costs and expenditures
☑ Super-priority of code lien
☑ Goal of forcing compliance or transfer of property
III. Vacant Property Registration Ordinances

- Clarity on dual goals of identification and liability
- Clarity on subject property
- Importance of code inspections and violations as triggers
- Capacity of judicial foreclosure oversight
- Resistance to Mortgagee Liability Pre-Sale
- REO Ownership
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IV. Vacant Property Receiverships

- Standing to File Receivership Petitions
- Standards for Receivership Petitions
- Transfer of control to judicially appointed receiver
- Funding of Receiver’s Actions – Lien Priority
- Problem of Negative FMV
- Authority for Receiver’s Sales
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V. Mortgage Foreclosure Reform

✓ Identity of Foreclosing Lender
✓ “Standing” to Foreclose
✓ Identity of Foreclosure Sale Purchaser
✓ Expedited Time Frames for “Vacant” Properties
✓ Low Value Transfers
✓ Foreclosure Assessments
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Land Banks and Land Banking

- Focus on systemic market failure
- Inventory Control: tax foreclosures, code enforcement
- Intergovernmental Collaboration
- Internal Financing Mechanisms
- Flexibility to meet local conditions and priorities